

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION

OF: AMMERMANN ET AL.

SERIAL No. 10/509,635

FILED: SEPTEMBER 29, 2004

FOR: METHOD OF INCREASING THE RESISTANCE OF PLANTS TO THE PHYTOTOX-  
ICITY OF AGROCHEMICALS

DOCKET No.: 53404

CONFIRMATION No.: 4301

GROUP ART UNIT: 1609

EXAMINER: D. D. SULLIVAN

Honorable Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

REPLY TO

NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)

Sir:

In reply to the Notice of Non-Compliant Amendment of December 02, 2009, it is respectfully requested that the attached Substitute Listing of Claims be entered and considered. The Substitute Listing of Claims replaces Appendix I, pages 9 to 15, of applicants' reply filed on August 27, 2009. Favorable action is respectfully solicited.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees, to Deposit Account No. 14.1437. Please credit any excess fees to such deposit account.

Respectfully submitted,

NOVAK DRUCE DE LUCA + QUIGG



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Encl.: SUBSTITUTE LISTING OF CLAIMS (Appendix I)

SPK/BAS